

1.83-777-04

Dft ID: -463

Pending counts:

CONSP. TO MAKE FALSE STATEMENTS ON BIRTH
CERTIFICATES., 18:371 & 18:1001 (1)
CONSP. TO PROCURE OR ATTEMPT TO PROCURE EVIDENCE
(FOR CERTAIN PERSONS) OF U. S. CITIZENSHIP.,
18:371 & 18:1425(B) (2)
MAKING FALSE STATEMENTS ON BIRTH CERTIFICATES.,
18:1001 & 18:2 (8)
MAKING FALSE STATEMENTS ON BIRTH CERTIFICATES.,
18:1001 & 18:2 (14)

Offense Level (opening): FEL

Penalty:

Max Penalty (Counts 1-2,8,14) (5 YRS AND/OR \$10,
000 AS TO EA CT).

U S Attorneys:

GUERRA, ROBERT L, ASST
542-7132

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PAGE 15

11/22/83 1 Filed indictment (Dkt'd 12/02/83).
Maximum Penalty (Counts 1-2,8,14) (5 YRS AND/OR \$10,000 AS
TO EA CT) (Dkt'd 12/02/83).
2 Order bench warrant issued (MAGISTRATE Mallet) (Dkt'd
12/02/83).
2 Order surety/cash bail set in the amount of \$30,000.00
(MAGISTRATE Mallet) (Dkt'd 12/02/83).
Bench warrant issued (WARRANT DELIVERED TO U. S. MARSHAL.)
(Dkt'd 12/02/83).
Case assigned to JUDGE VELA (Dkt'd 12/02/83).
US Attorney GUERRA, ROBERT L, ASST added to case (Dkt'd
12/02/83).

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Judge: JUDGE VELA

1.83-777-06

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Case Filed: 11/22/83

Defendant:

D6 MIRELES, HUMBERTO SALAZAR

Dft ID: -464

Pending counts:

CONSP. TO MAKE FALSE STATEMENTS ON BIRTH
CERTIFICATES., 18:371 & 18:1001 (1)
CONSP. TO PROCURE OR ATTEMPT TO PROCURE EVIDENCE
(FOR CERTAIN PERSONS) OF U. S. CITIZENSHIP.,

Offense Level (opening): FEL

Penalty:

Max penalty (Counts 1-2,11-12) (5 YRS AND/OR \$10,000 AS TO EA CT).

1183-777-06

U S Attorneys:

GUERRA, ROBERT L, ASST
542-7132

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PAGE 1

11/22/83 1 Filed indictment (Dkt'd 12/02/83).
Maximum penalty (Counts 1-2,11-12) (5 YRS AND/OR \$10,000 AS
TO EA CT) (Dkt'd 12/02/83).
2 Order bench warrant issued (MAGISTRATE MALLET) (Dkt'd
12/02/83).
2 Order surety/cash bail set in the amount of \$30,000.00
(MAGISTRATE MALLET) (Dkt'd 12/02/83).
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US Attorney GUERRA, ROBERT L, ASST added to case (Dkt'd
12/02/83).

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PO ☐ 541 1 4121
Misd ☐
Felony ☒ District Off Judge Magistr OFFENSE ON INDEX CARDS

WRIT VS **GARCIA, BERTA ALICIA SILVA**
JUVENILE
ALIAS

Case Filed Yr Docket No Def
11 22 83 777 05
No of Def's 6 U.S. MAG CASE NO

I. CHARGES

U.S. TITLE SECTION OFFENSES CHARGED ORIGINAL COUNTS
18/371 & 1001 Conspiracy to make false stmts. on Birth Certfs. (Ct.1) 1
18/371 & 1425(b) Conspiracy to procure or attempt. to procure evidence (for certain persons) of U.S. citizenship. (Ct.2) 1
18/1001 & 18/2 Making false stmts. on Birth Certfs. (Cts.8,14) 2
PENALTY: Cts.1,2,8 & 14: 5 yrs. and/or \$10,000 ea.ct.

DISM NG CONVICT NOLO
☐ ☐ ☐

II. KEY DATE

INTERVAL ONE END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL) SUPERSEDING COUNTS END INTERVAL TWO
KEY DATE arrest sum's custody 11/22/83 KEY DATE 1st appears on pending charge Receive files R20/40 Superseding Indict. Inform. Order New trial
EARLIEST OF APPLICABLE LATEST OF APPLICABLE
1st appears with or waives counsel ARRAIGNMENT 1st Trial Ended RE-TRIAL 2nd Trial Began DISPOSITION DATE SENTENCE DATE PTD Nolle Pro. on S.T. grounds W.P. WOP

III. MAGISTRATE
Search Warrant Issued Return Summons Issued Served Arrest Warrant Issued COMPLAINT
DATE INITIAL/NO. INITIAL APPEARANCE DATE PRELIMINARY EXAMINATION OR REMOVAL HEARING WAIVED NOT WAIVED Tape Number INTERVENING INDICTMENT
OUTCOME: DISMISSED HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW
Date of Arrest OFFENSE (In Complaint)

Show last names and suffix numbers of other defendants on same indictment/information:

GARCES 01, SILVA 02, URIBE 03, SILVA 04, MIRELES 06

RULE 20 21 40 In C
BAIL RELEASEATTORNEYS
U.S. Attorney or Asst

Robert L. Guerra, Asst.

Defense: 1 ☐ CJA 2 ☐ Ret 3 ☐ Waived 4 ☐ Self 5 ☒ Non / Other 6 ☐ PD. 7 ☐ CD

PRE-INDICTMENT
Release Date
Bail Denied Fugitive Pers. R
AMOUNT SET PSA
Date Set 10% D. Surety
Bail Not Made Collateral 3rd Ptry Other
Date Bond Made

POST-INDICTMENT
Release Date
Bail Denied Fugitive Pers. R
AMOUNT SET PSA
Date Set 10% D. Surety
Bail Not Made Collateral 3rd Ptry Other
Date Bond Made

FINE AND RESTITUTION PAYMENTS

Docket Entries Begin On Reverse Side

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER

APPEALS FEE PAYMENTS

IV. NAMES & ADDRESSES OF ATTORNEYS, SURETIES, ETC.

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

FRANCISCA GARCES-MORENO, ET AL

B-83-777

Yr. Docket No. Def

DATE	PROCEEDINGS (continued)	B-83-777				Y. EXCLUDABLE DELAY			
		(Document No.)	(a)	(b)	(c)	(d)			
11/22/83	1	INDICTMENT filed.	miv Dkt'd 11/29/83						
11/22/83	2	(WMM) ORDER FOR ISSUANCE OF BENCH WARRANT AND SETTING AMOUNT OF BAIL AS FOLLOWS: FRANCISCA GARCES-MORENO \$30,000 C/\$ MARIO SILVA-VILLARREAL \$30,000 C/\$ MARIA MAGDALENA URIBE-DE SILVA \$30,000 C/\$ FRANCISCO SILVA-VILLARREAL \$30,000 C/\$ BERTA ALICIA GARCIA DE SILVA \$30,000 C/\$ HUMBERTO MIRELES-SALAZAR \$30,000 C/\$ miv Dkt'd 11/29/83							
11/22/83		WARRANTS FOR ARREST of Defts. ISSUED and delivered to USM. (ALL DEFTS)	miv Dkt'd 11/29/83						
11/28/83	3	(FGG) MINUTES OF INITIAL APPEARANCE, filed. Deft. present w/o counsel. Deft's first apperance. Deft. waives appointed counsel. \$30,000 cash/surety bond set. Bail reviewed, Bond REDUCED to \$30,000 UNSECURED. Bond executed, Deft. RELEASED. ARR: 12/2/83 b/f a magistrate for 8 A.M. (GARCES)	miv Dkt'd 11/29/83						
11/28/83	4	APPEARANCE BOND, filed. (GARCES)	miv Dkt'd 11/29/83						
11/28/83	5	(FGG) MINUTES OF INITIAL APPERANCE, filed. Deft. MARIO SILVA-VILLARREAL present w/counsel I. Sheldon Weisfeld. Deft. MARIA MAGDALENA URIBE-DE SILVA present w/counsel I. Sheldon Weisfeld. \$30,000 cash/surety bond set. Bail reviewed, Bond reduced to \$30,000 with a \$2,000 deposit. Bond executed, Defts. RELEASED. Arr: 12/2/83 b/f a magistrate at 8:00 A.M.							
11/28/83	6	APPERANCE BOND, filed. \$2,000 deposit. (SILVA-VILLARREAL)	miv Dkt'd 11/29/83						
11/28/83	7	APPEARANCE BOND, filed. \$2,000 deposit. (URIBE-DE SILVA)	miv Dkt'd 11/29/83						
12/2 /83	(8)	Received executed Warrant for Arrest of FRANCISCA GARCES-MORENO; arrested on 11/28/83. lmv Dkt'd 12/12/83							
12/2/83	(9)	Received exeuted Warrant of Arrest of MARIO SILVA-VILLARREA; arrested 12/28/83. lmv Dkt'd 12/12/83							

Interval
Incr Section IIIStart Date
End DateLtr. Total
Code Date

DATE	PROCEEDINGS (continued)		V. EXCLUDABLE DE		
	(Document No.)		(a)	(b)	(c)
12/2/83	10	Received executed Warrant for Arrest of MARIA MAGDALENA URIBE-DE SILVA. Arrested on 11/28/83. lmv Dkt'd 12/12/83			
12/2/83	11	(WMM) ARR MINUTES FILED (GARCES-MORENO, MARIO SILVA-VILLARREAL & MARIA MAGDALENA URIBE-DE SILVA) TAPE: 49/255 lmv/lmv AUSA Smith f/govt; Atty Weisfeld f/defts. Defts admonished as to possible conflict of interest.			
	12	AFFIDAVIT EXECUTED & FILED (GARCES-MORENO)			
	13	AFFIDAVIT EXECUTED & FILED (SILVA-VILLARREAL)			
	14	AFFIDAVIT EXECUTED & FILED (URIBE-DE SILVA) GARCES-MORENO P/NG to all cts; SILVA-VILLARREAL P/NG to Cts 1,2,3; and URIBE-DE SILVA P/NG to CTS 1,2,3; MOTIONS DUE BY DEC 16, 1983; FPT: JAN 3, 1984, 8:30 a.m., b/f JUDGE HINOJOSA; JS: JAN 4, 1984, 9 a.m.			
	15	DOCKET CONTROL ORDER FILED (GARCES-MORENO)			
	16	DOCKET CONTROL ORDER FILED (SILVA-VILLARREAL)			
	17	DOCKET CONTROL ORDER FILED (URIBE-DE SILVA) Defts continued on present bond. lmv Dkt'd 12/12/83			
1/3/84	18	(FBV) RE-ARR MINUTES FILED (FRANCISCA GARCES-MORENO) Bill Holloway, court reporter el/lmv AUSA Wolfe f/govt; I Sheldon Weisfeld f/deft. Deft enters P/G to Ct 1 PLEA BARGAIN: Deft to p/g to Ct 1; govt will recommend 5 yrs s/s for 5 yrs w/supervision, & the remaining cts to be dismissed. PSI ORDERED. FOR SENT: FEB 3, 1984, 8:30 am, b/f JUDGE VELA. lmv Dkt'd 1/12/84			
1/3/84	19	(FBV) FINAL PRETRIAL MINUTES FILED (MARIO SILVA-VILLARREAL) Court reporter: Bill Holloway el/lmv AUSA Smith f/govt; I Sheldon Weisfeld f/deft. ANNOUNCEMENT MADE THAT THIS DEFT WILL P/G in MAGISTRATE'S COURT TODAY. lmv Dkt'd 1/12/84			
1/3/84	20	(FBV) FINAL PRETRIAL MINUTES FILED (MARIA MAGDALENA URIBE) Bill Holloway, court reporter el/lmv AUSA Smith f/govt; I Sheldon Weisfeld f/deft. ANNOUNCEMENT MADE THAT INDICTMENT TO BE DISMISSED AS TO THIS DEFT. lmv Dkt'd 1/12/84			

N E X T P A G E

Interval
(per Section II)Start Date
End DateLtr. To
Code Da

DATE	PROCEEDINGS (continued)		V. EXCLUDABLE DEL		
			(a)	(b)	(c)
	(Document No.)				
1/3/84	21 (FGG)	RE-ARR MINUTES FILED (MARIO SILVA-VILLARREAL) TAPE: 59/1269 dgc/lmv AUSA Hall f/govt; I Sheldon Weisfeld f/deft. 22 CR INFORMATION FILED. 23 CONSENT EXECUTED & FILED. Deft enters P/G to information. PLEA BARGAIN: that indictment would be dismissed after he P/G to misdemeanor charges. PSI WAIVED. SENT: 6 months s/s for 2 yrs, placed on probation w/o supervision. INDICTMENT DISMISSED ON MOTION OF GOVT. lmv Dkt'd 1/12/84			
1/10/84	24	MOTION TO DISMISS INDICTMENT FILED (MARIA MAGDALENA URIBE-SILVA) lmv Dkt'd 1/12/84			
1/10/84	25 (FGG)	JUDGMENT & PROBATION ORDER FILED (MARIO SILVA- VILLARREAL) lmv Dkt'd 1/12/84			
1/25/84	26 (FBV)	ORDER filed. (URIBE-SILVA) DISMISS INDICTMENT for reason that govt no longer desires prosecution against deft. maa Dkt'd 1/27/84.			
2/3/84	27 (FBV)	SENTENCING MINUTES, filed. Ct. Reptr. Bill Holloway el/miv AUSA/Harry Hall. f/Deft. Sheldon Weisfeld. SENTENCING HELD. On Ct.1, CAG 5 yrs. E.S.S. 5 yrs. probation w/supervision, special condition that Deft. not practice as a midwife. Cts. 2-26 DISMISSED on Gov't Motion. (GARCES) miv Dkt'd 2/9/84			
2/7/84	28 (FBV)	JUDGMENT/PROBATION ORDER, filed. (GARCES) miv Dkt'd 2/9/84			
2/9/84	29 (FBV)	ORDER TO DISBURSE CASH BAIL BOND filed. (\$2,000.00 to I. Sheldon Weisfeld, P. O. Drawer 1231, Brownsville, Tx. 78520) (SILVA-VILLARREAL, MARIO) maa Dkt'd 2/18/84			
2/9/84	30 (FBV)	ORDER TO DISBURSE CASH BAIL BOND filed. (\$2,000.00 to I. Sheldon Weisfeld, P. O. Drawer 1231, Brownsville, Tx. 78520) (URIBE-SILVA) maa Dkt'd 2/18/84			